

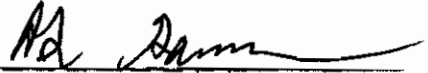
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

UNITED STATES OF AMERICA, et	:	CASE NO. 1:02-cv00107
al.,	:	
	:	
Plaintiff	:	JUDGE S. ARTHUR SPIEGEL
	:	MAGISTRATE HOGAN
	:	
vs.	:	
	:	<u>AFFIDAVIT OF AL GAMMARINO</u>
	:	
BOARD OF HAMILTON COUNTY	:	
COMMISSIONERS, et al.	:	
	:	
Defendants	:	

Now comes Al Gammarino, Affiant, after being first have been duly sworn and cautioned, does hereby state the following:

1. Affiant states that Defendants sanitary sewers backed up into affiant's real property on or about January 3, 2004.
2. Affiant states that Martie Thompson of M.S.D or its associates hired the services of Brock Restoration to clean or sanitize the basement of affiant on or about January 12, 2004. Affiant states that he was present during the cleaning and debris removal.
3. Affiant states that Brock Restoration removed and hauled away, a walk in refrigeration unit from Affiant's basement, of which contained raw sewage.
4. Affiant states that he received the attached estimates from contractors or serviceman for repairing or replacing the damaged equipment.
5. Affiant states that the attached Exhibits are a true copy of the originals.

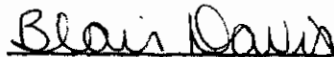
6. Affiant authenticates these attached exhibits.
 7. Affiant states that Defendants owe for the damages pursuant to the Water In Basement Decree.
 8. Affiant states that after credit, Defendants owe Affiant \$9,632.45 for the damages to his property.
 9. Affiant states that he has not received one penny from Defendants.
- Affiant Further Sayeth Not.



Al Gammarino
Affiant

STATE OF OHIO, COUNTY OF HAMILTON, SS:

Sworn to and subscribed before me, a notary public in the State
of Ohio, this 29th day of March, 2007.



Notary Public

BLAIR DAVIS
Notary Public, State of Ohio
My Commission Expires 09-21-2011

Hamilton County**Refrigeration Co.**

Commercial Refrigeration Equipment

Sales • Service • Rentals

6195 Colerain Avenue Cincinnati, Ohio 45239

Phone (513) 923-1962 Fax (513) 923-1964

TO: AL GAMMARINO
3700 E. Galbraith Rd.
Cincinnati, OH 45236

Customer ID GAM001

PROPOSAL

Proposal Number: 012004

Sales Rep MDL

Fax Number

PHONE

(513) 791-2018

DATE

Jan 20, 2004

JOB NAME / LOCATION

3291 Beekman St. - Basement
Cincinnati, Ohio 45255

JOB NUMBER

JOB PHONE

We hereby submit specifications and estimates for:

- > 3291 Beekman Street Cincinnati, Ohio 45255
One New Norlake Indoor Walk In Cooler w/o floor
8' x 6' x 7'4"H Floorless
Freight is included.
Standard walk in cooler door, centered on 6' side.
Side mounted refrigeration system, 115 volt.
Proposal includes delivery, installation and start up.
Ohio sales tax additional if applicable.

8' x 6' x 7'4"H Indoor Walk In Cooler

6,785.45

WE PROPOSE hereby to furnish material and labor — complete in accordance with the above specifications, for the sum of:Six thousand seven hundred eighty five ⁴⁵/₁₀₀ — dollars (\$) 6,785.45

Payment to be made as follows:

1/2 w/order, bal on completion

All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Worker's Compensation insurance.

Authorized
Signature

Michelle D. Leurck

Michelle D. Leurck

Note: This proposal may be
withdrawn by us if not accepted within

30

days.

ACCEPTANCE OF PROPOSAL — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: _____

Signature _____

Signature _____

THOMPSON

Heating - Cooling
800 E. Ross Avenue
Cincinnati, OH 45217

513-242-4450 513-271-6258 513-232-4450
859-261-4450 513-251-4450 513-851-4411

PROPOSAL SUBMITTED TO AL GAIMMARINO	PHONE 791-2018	DATE 1-13-04
STREET 3700 E GALBRAITH	JOB NAME SAME	
CITY, STATE AND ZIP CODE CINCINNATI OH 45236	JOB LOCATION 3291 BEEKMAN COLLIER	
ARCHITECT RON BRESSLER	DATE OF PLANS 1-13-04	JOB PHONE CINC 011 45225 077-4512

We hereby submit specifications and estimates for:

1- 125,000 BTU HEIL PREMIER
UPFLOW FURNACE WITH
LIFETIME WARRANTY ON THE
HEAT EXCHANGERS, 5 YR
PARTS AND LABOR
1- PROGRAMMABLE THERMOSTAT
WE WILL REMOVE OLD
WILLIAMSON FURNACE AND HAUL IT AWAY
1- 50 GALLON RUUD HOT WATER HEATER
WITH 6 YR WARRANTY ON THE TANK

YOU HAVE A 3 DAY CANCELLATION PERIOD PROVIDED BY STATE LAW. TO CANCEL, MAIL ONE COPY OF THIS CONTRACT TO THE ABOVE ADDRESS WITHIN 3 DAYS OF THIS TRANSACTION.

We Propose hereby to furnish material and labor — complete in accordance with above specifications, for the sum of:

CHECK ON COMPLETION dollars (\$ **5677**).

Payment to be made as follows:

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

Authorized
Signature

Ron Bressler

Note: This proposal may be withdrawn by us if not accepted within _____ days.

Acceptance of Proposal — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: _____

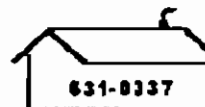
Signature _____

Signature _____

HOUSE PRO'S

5243 GLOBE AVENUE
CINCINNATI, OHIO 45212
513-631-0337

FAMILY OWNED AND OPERATED
SINCE 1983



SERVICE + REPAIR + REMODEL

AL GAMMARINO
3700 EAST GALBRAITH ROAD
CINCINNATI, OHIO 45236

1-24-04

DEAR MR. GAMMARINO,

BELOW YOU WILL FIND OUR ESTIMATE FOR THE PROPERTY LOCATED AT:
3291 BEEKMAN STREET
CINCINNATI, OHIO 45225

CLEAN, DISINFECT, SANITIZE, SCRAPE, PRIME AND PAINT BASEMENT WALLS AT
THE ABOVE LOCATION. TOTAL AREA TO BE COMPLETED WILL BE 962 S. F.

TOTAL DUE UPON COMPLETION \$2,150.00